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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/405,807 | 09/24/1999 | JOHN R. ECKEL JR. | 44660-00001 | 9931 |
| 26231 | 7590 | 05/05/2004 | EXAMINER | |
| FISH & RICHARDSON P.C. 5000 BANK ONE CENTER 1717 MAIN STREET DALLAS, TX 75201 | | | GARG, YOGESH C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3625 | |

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/405,807

Applicant(s)

ECKEL, JOHN R.

Examiner

Yogesh C Garg

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NLW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-80 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/29/2004 has been entered.

Response to Amendment

2. Applicant's amendment E, paper # 16, received on 3/29/2004 is acknowledged and entered. Claims 1, 2, 4-6, 8, 9, 11-13, 16-18, 20-22, 25, 26, 28, 31, 34, 35, 37, 40, 42, 49, 50, 53, 55, 57, 58, 65, 66, 69, and 71-79 are amended. New claim 80 is added. Currently claims 1-80 are pending for examination.

Response to Arguments

3.1 In response to applicant's amendments to claims 25 and 77 objection to these two claims presented in the previous Office action is withdrawn.

3.2. Applicant's arguments with respect to the amended claims 1-80 have been considered but are moot in view of the new ground(s) of rejection necessitated due to the amendments.

The amended independent claims 1, 18, 25, 37, 45, 53 and 61 are directed to an apparatus, methods, and systems for receiving: a request, which constitutes of a domain name, the domain name includes the subject of the request pertaining to goods or services desired by the user; and the domain name is an access to a service provider which acts as an intermediary between the user and service providers such that the intermediary server has a database which

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includes the personal information previously provided by the users and helps in selecting the providers as per the personal preferences of the user.

Overview: The prior art already exists which render these limitations obvious. The examiner refers to the prior arts of Click4 (Business editors, " Click4 Network launches one million dollar Internet Service Giveaway"; Business Wire; New York; April 26, 1999; pg.1 extracted on Internet from proquest database on 4/30/2004, hereinafter; referred to as Click4), Dean and Traderonline. Out of these prior art references, the latter two already have been used in the earlier Office actions. Both Click4 and Traderonline teach using a domain name, associated with an intermediary between the service providers and the users, as a request for his goods or services such as www.Click4tickets.com, or www.Clcik4insurance.com, www.Clcik4flowers.com, www.Clcik4cruises.com, or www.boattraderonline.com, or www.autotraderonline.com or www.trucktraderonline.com etc. These domain names include the fields, such as tickets, insurance, flowers, cruises, boats, autos, etc. which include the identification of the subject required by the user, the common domain name element as Clcik4 or Traderonline associated with the plurality of domain names and the web sites of these domain names include databases including information about the products and services. The reference Dean discloses storing personal preferences of the users and to use the personal preferences to provide services to the user.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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4.1. Claims 1-17, 34-35, 69, 73-74 and 80 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim 1 contains subject matter, “ ***an indication*** of preferred providers identified by the consumer or by prior purchases thereby”, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The examiner could not find support for this limitation in the disclosure. The disclosure (see at least pages 8, 9, 14, 23 and 26 and FIGS.1 and 2) merely states that the member of customer inputs information in the database 106 and that this information may include personal preferences, which may include a list of providers with whom the customer likes to deal with. The disclosure does not state that the database also includes the element of indicating that there are preferred providers in the database. In order to do so there, should be an additional signal in the method, system and apparatus to execute the function of indicating the existence of preferred providers and the applicant's specification does not disclose this. In view of this, claim 1 will be treated further on merits with the assumption that the database merely includes information on preferred providers as previously recited in claim 1. Since the amended claims 2-17, 34-35, 69, 73-74 and 80 are dependent on claim 1 they also inherit the same deficiency.

4.2. Claims 1-17, 34-35, 69, 73-74 and 80 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim 1 contains subject matter, “.. an indication of preferred providers identified by the consumer or by prior purchases thereby”, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The examiner could not find support for this limitation in the disclosure. The disclosure (see at

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least pages 8, 9, 14, 23 and 26 and FIGS.1 and 2) merely states that the member of customer inputs information in the database 106 and that this information may include personal preferences, which may include a list of providers with whom the customer likes to deal with. The disclosure does not state that the database also includes the element of indicating that there are preferred providers in the database. In order to do so there, should be an additional signal in the method, system and apparatus to execute the function of indicating the existence of preferred providers and the applicant's specification does not disclose this. In view of this claim 1 will be treated further on merits with the assumption that the database merely includes information on preferred providers as previously recited in claim 1. Since the amended claims 2-17, 34-35, 69, 73-74 and 80 are dependent on claim 1 they also inherit the same deficiency.

4.3. Claims 1-24, 34-36, 69-70, 73-75 and 80 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims 1 and 18 contain subject matter, " wherein ***the request includes a selected one of the at least one domain name*** ", which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The examiner could not find support for this limitation in the disclosure. The disclosure (see at least pages 9-12, and FIGS.1 and 2) merely states that the customer intuitively inputs a domain name related to his request for search of goods and services. The disclosure does not state that the user is allowed or shown a choice of domain names which will prompt the user to make a selection of at least one domain name. In view of this, claims 1 and 18 will be treated further on merits with the assumption that the request includes a domain name associated with a plurality of domain names as recited earlier in claim

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2. Since the amended claims 2-17 and 19-24, 34-36, 69-70, 73-75 and 80 are dependent on claims 1 and 18 they also inherit the same deficiency.

4.4. Claims 1-24, 34-36, 69-70, 73-75 and 80 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enable requirement. The claims 1 and 18 contain subject matter, " wherein ***the request includes a selected one of the at least one domain name*** ", which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The examiner could not find support for this limitation in the disclosure. The disclosure (see at least pages 9-12, and FIGS.1 and 2) merely states that the customer intuitively inputs a domain name related to his request for search of goods and services. The disclosure does not state that the user is allowed or shown a choice of domain names which will prompt the user to make a selection of at least one domain name. In view of this, claims 1 and 18 will be treated further on merits with the assumption that the request includes a domain name associated with a plurality of domain names as recited earlier in claim 2. Since the amended claims 2-17 and 19-24, 34-36, 69-70, 73-75 and 80 are dependent on claims 1 and 18 they also inherit the same deficiency.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5.1. Claims 1-4, 6-7, 9-11, 18-21, 24, 34, 36, 53-55, 61-63, and 69-70, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline and further in view of Dean.

With regards to claims 1-3, 9, 18-21, 24, 53-54, and 61-62, Traderonline discloses a method and a system comprising: receiving a request initiated by a consumer, transmitted over a global communication network to a system associated with the at least one domain name, wherein the request includes a selected at least a domain name associated with a plurality of domain names each of which includes a common domain name element and an identification of a subject of the request, using a name linking module for selecting, responsive to the received request at least one name of at least one provider; and a controller for forwarding the selected at least one name of the at least one provider to said consumer, wherein said consumer chooses a provider from the selected at least one provider to communicate therewith, and that the subject matter information is maintained by the system in a database accessible by all domains of the system (at least see, *see pages 1,2,3, and 4.* Traderonline discloses that a customer can send a request through Internet with a domain name like autotraderonline.com or Boattraderonline.com where the common domain element is Traderonline, subject is boat or auto and the extended domain name com. The subject, boat or auto identifies the goods/services requested. The domain name does not identify the provider. The examiner would like to notify that when a customer enters a domain name intuitively such as "www.boattraderonline.com" this step is same as selecting at least a domain name. On Page 1, Traderonline discloses that there are twenty Internet sites covering automotive, aircraft.....motorcycle ... general merchandise categories. On receipt of the customer's request the site searches the database and provides the name of providers on a web page., "... Traderonline.....has a complete Internet presence with twenty Internet sites covering the

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automotive, aircraft.....general merchandise categories...All can be accessed through www.traderonline.com....". Note: Consumer/user can specify Boat Traderonline.com or Big Truck Traderonline.com or Auto Traderonline.com and accordingly he would be guided to any of these providers after accessing www.traderonline.com. These domain names include the fields, such as boats, autos, motorcycle, etc. which include the identification of the subject required by the user, the common domain name element as Traderonline associated with the plurality of domain names and the web sites of these domain names include databases including information about the products and services).

The above teachings of Traderonline also reads upon the recited limitation in claims 53 and 61 that the said request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and a second field identifying a type of goods or services without identifying a specific provider thereof (Traderonline teaches using a domain name, associated with an intermediary between the service providers and the users, as a request for his goods or services such as www.boattraderonline.com, or www.autotraderonline.com or www.trucktraderonline.com etc. These domain names include the fields, such as tickets, insurance, flowers, cruises, boats, autos, etc. which include the identification of the subject required by the user without identifying the provider, the common domain name element as Clcik4 or Traderonline associated with the plurality of domain names and the web sites of these domain names include databases including information about the products and services).

Traderonline further teaches comprising an intermediary and that intermediary is associated with the at least one domain name (see at least page 1 where Traderonline discloses that visitors, which correspond to consumers are allowed to access the marine related web sites by accessing the Boat trader Online database. This disclosure makes it evident that

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the boattraderonline website acts as an intermediary). Traderonline teaches that the global communication network is the Internet (see at least page 1, " Industry: Internet Multimedia Online ").

Traderonline also teaches maintaining a database associated with at least one domain name (see page 1, " Boat trader online databases").

Traderonline does not teach maintaining personal information relating to a consumer in the database, the personal information having been previously provided by the consumer and including preferred providers identified by the consumer or by the prior purchases thereby selecting, responsive to the received request, initiated by the consumer and based upon the request and the preferred providers in the database, at least one name of at least one provider and forwarding the selected at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith. However, in the same field of endeavor of storing personal preferences of consumers, Dean discloses maintaining personal information relating to a consumer in the database,, the personal information having been previously provided by the consumer and including preferred providers identified by the consumer or by the prior purchases thereby selecting, responsive to the received request, initiated by the consumer and based upon the request and the preferred providers in the database, at least one name of at least one provider and forwarding the selected at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith (at least see, Fig.3, " Contacts Supplier 1...Supplier 5 " , Fig.4 and col.6, lines 1-67. , " Referring to FIG.4...stored data in a database 400....stores the user data in database 400...user data specifies personal preferences or other information as described

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above...The processor operates a set of search...searches the user dataindicating personal preferences of information.....correspond to the identified data types such as ...data describing services available from....service providers..". Note: Suppliers 1,2...5, listed in Fig.3 correspond to the preferred providers identified by the consumer. See, col.5, lines 2-17, "...The gateway devices connect to appropriate...public switched telephone network 105, or a cable TV network 106,...or an on-line service.....Compuserve @..wide area network 107.....Internet 108...". Also see col.6, line 41-col.7, line 43, "... The user data specifies personal preferences.....The database also stores a set of service data comprising a list of electronic addresses...for retrieval....leisure interests, travel arrangements, local restaurants.....processor operates a set of search and display algorithms...searches user datapersonal references...retrieves data items...displays ..on a user interface....").

In view of Dean, it would have been obvious to a person of an ordinary skill in the art to have modified Traderonline at the time of the applicant's invention to have incorporated the features of maintaining personal information relating to a consumer in the database, the personal information having been previously provided by the consumer and including preferred providers identified by the consumer or by the prior purchases thereby selecting, responsive to the received request, initiated by the consumer and based upon the request and the preferred providers in the database, at least one name of at least one provider and forwarding the selected at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith. Doing so would help the Traderonline method and system to provide customized/personalized electronic services to users when making transactions online, as explicitly disclosed in Dean.

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With regards to claims 4, 6-7, 10-11, 34, 36, 55, and 63, Traderonline combined with Dean further teaches:

creating a customized presentation for use by said consumer, said customized presentation containing the selected at least one name of the at least one provider; using a name linking policy to select the at least one provider while utilizing one or combination of subject matter information, demographic information and geographic information, and the customized presentation is selected from the group consisting of: web page, Wireless Application protocol, and other data communication formats (see at least Dean, Fig.3, "...*Leisure Sports TV preference...Theatre.....Stocks.....Bonds*" correspond to subject matter information from the consumer's database to select and link a provider as already analyzed in claim 2 above, Fig.4 and col.6, lines 3-13, "... *The user specific data is categorized into data types, such as ...leisure, business and address book....data services may be obtained*", col.6, line 41-col.7, line 43, "... *The user data specifies personal preferences.....The database also stores a set of service data comprising a list of electronic addresses...for retrieval....leisure interests, travel arrangements, local restaurants.....processor operates a set of search and display algorithms...searches user data....personal references...retrieves data items...displays ..on a user interface...*", and col.4, lines 42-67). In view of Dean, it would have been obvious to an ordinary skill in the art at the time of the applicant's invention to have modified Traderonline to have incorporated the above teachings of Dean because to help the Traderonline method and system to provide customized/ personalized electronic services to users when making electronic transactions by providing the convenience, flexibility and design choice of using the existing either land based or wireless communications, as explicitly disclosed in Dean).

With regards to claims 69-70, Traderonline combined with Dean teaches that consumer requests can be received from either a desktop device or a hand-held device capable of communicating information (at least see Dean, *col.5, lines 2-6*, “*...a plurality of user interfaces for example telephone handsets 101, and video monitors 102...*”). In view of Dean, it would have been obvious to an ordinary skill in the art at the time of the applicant's invention to have modified Traderonline to have incorporated the above teachings of Dean because to help the Traderonline method and system to provide the convenience, flexibility and design choice of using the existing either desk-top based or hand-held devices, as explicitly disclosed in Dean.

5.2. Claims 5, 22-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline in view of Dean and further in view of Turner, Rob (“The price is right”, Money; New York; May 1999, extracted from Internet on 04/04/2002).

With regards to claims 5, and 22-23, Traderonline/Dean teaches a method and system as disclosed in claims 1, and 18 respectively. Traderonline/Dean fails to teach using the criteria of price comparison and availability about goods and services offered by the provider in selecting the provider. However, in the same field of selling on the Internet, Turner discloses providing comparative pricing and availability about goods and services offered by the provider (at least see, page 1, last paragraph “*...Fortunately, you can make the Internet do the work for you.....many new price comparison Websites.....*”). In view of Turner, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Traderonline/Dean to combine the features of Turner i.e. using the criteria of price comparison and availability about goods and services offered by the provider in selecting the provider. Doing so would help customers to find great deals and bargains on the Internet as suggested by

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Turner (at least see, page 1, "*...unearth bargains.....With Thousands of Websites.....there are more ways than ever to find great deals.....*") and save money.

5.3. Claims 8,12, 14-16, 35, 45-47,51-52, 72 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean and further in view of Daly et al. (US Patent 5,878,141), hereinafter, referred to as Daly.

With regards to claims 8, 12, 14-16, 35, and 80, Traderonline/Dean teaches a method and an apparatus as disclosed in claim 1. Traderonline/Dean further discloses storing consumer provided personal information relating to personal preferences and privacy instructions and using these personal information of the consumer to select at least one or more provider as analyzed above in claims 4, 6-7 above. Traderonline/Dean does not disclose storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards.

However, Daly, in the field of electronic commerce and payments, discloses storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards (at least see, abstract, "*...The purchaser database stores information...purchaser...a set of personal payment methods.....goods/services...*", col.3, lines 1-5, "*...for obvious reasons, it is in the purchaser's interest not to reveal his/her bank account or credit card information to the merchant.....*", col.4, lines 19-29, "*....The processor then computes an intersection...the processor consummates the sale and signs.....completed transaction has occurred....*", col.5,

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line 61-col.6, line 24, "*..The purchase database stores a set of personal payment methods....credit cards....*", col.7, lines 41-47, "*...The software-controlled processor is a trusted third-party...acts as an electronic mediator...without revealing confidential account information to either one...*", col.8, lines 13-20, "*..The trusted processing unit and payment method...without revealing the purchaser's wallet to the merchant.....agreed by the purchaser..*", col.8, lines 47-61, "*..If the purchaser...this digital signature assures the merchant...*" col.10, lines 33-49,' *.FIG. 4 shows a more detailed ..financial transaction system....establish pricing and discounting information...pricing system might also use information in the subscriber database for features such as coupons or frequent buyer programs...* ", col.11, lines 7-22, and col.13, line 66-col. 14, line 9, "*... The transaction routing system selects a subscriber...Appropriate credit and debit entries are made in general ledger...These are example system 88 and....submitting a bill to the subscriber and posting the appropriate transaction in the acquiring account (such as a credit card account).....account* ". Note: tracking the coupons and frequent buyer programs in the database corresponds to tracking the reward programs.).

In view of Daly, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features of storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards in Traderonline/Dean. Doing so would help the system in customizing and protecting the information displayed by a consumer to the intermediary to complete electronic transactions, as suggested by Daly (at least see, col.3, lines 49-53) and also to take advantage of reward system, if any, as further suggested by Daly (at least see, col.10, lines 33-49).

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With regards to apparatus claim 45-47, 51-52, and 72, all limitations are closely parallel to the limitations already covered in the limitations of claims 1, 4, 8, 10, 12, 18, 53, 61 and 70 above and are therefore, analyzed and rejected as being unpatentable over Traderonline/Dean and further in view of Daly on the basis of same rationale.

5.4. Claims 13, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Daly and further in view of Matsuoka (US Patent 6,038,537).

With reference to claims 13, and 48, Traderonline/Dean/Daly teaches a method and apparatus wherein consumer provides personal information relating to consumer including personal preferences, payment instructions and privacy instructions, as disclosed and analyzed in claims 8 and 45, above. Traderonline/Dean /Daly does not disclose that the instructions also include instructions to complete transactions in an anonymous manner. However, Matsuoka teaches completing transactions in an anonymous manner (at least see, col.6, lines 38-43; "...*The displaying unit 24 displays a list of commodities to be provided while making the name of a commodity provider anonymous...*", col.10, line 47-col.11, line 14, col.15, lines 26-31, col.29, lines 50-53, "...*Furthermore, a commodity receiver may be made anonymous to a commodity provider...*", and col.31, lines 16-18). In view of Matsuoka, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features completing the transactions in anonymous manner in Traderonline/Dean/Daly. Doing so would help to keep the privacy of the consumer intact and protecting him from unwanted mail and offers from merchants, as per the knowledge generally available and also will help to stop human relationships suffering if transactions are not completed, as suggested in Matsuoka (at least see, col.10, lines 47-55).

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5.5. Claims 25, 32-33, 37, 42-44, & 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 25, 32-33, 37, 42-44 and 71, all the limitations are covered and analyzed in claims method claims 1, 3, 6-7, 9-11 and 70 above, except for the limitation, "updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction".

Traderonline/Dean does not disclose updating the list of preferred providers based upon one or more providers chosen by the consumer to complete the transaction.

In the field of same endeavor, that is organizing personal information in a database, Meade teaches the step of updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction (see at least col.2, lines 31-44, "...Cookies can also be used for tracking the path of a user through a websitePerhaps the most prevalent use of cookies is database marketing... Information in cookies can be used to compile a database profile of Internet use of a specific individual. The profile can include such information as sites visited.....". Note: The web sites visited in Meade, II correspond to the providers chosen by the consumer in the claim. Every time when an user visits a web site the information being stored in the cookies about the web sites visited by user satisfies the limitation of this claim).

In view of Meade, II, It would be obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Traderonline/Dean to include the concept of updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction. Doing so would enable compiling a database profile of an Internet user and that database profile can be used for promoting and advertising user specific products, as explicitly disclosed in Meade, II (see at least col.2, lines 40-55).

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5.6. Claims 26-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean in view of Meade, II and further in view of Turner.

With regards to claims 26-27, the recited limitations are covered in claims 5 and 22-23 and are therefore analyzed and rejected as unpatentable over Traderonline/Dean in view of Meade, II and further in view of Turner as applied to claim 25 on the basis of same rationale.

5.7. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean in view of Meade, II.

With regards to claim 28, the recited limitations are covered in claim 2 and are therefore analyzed and rejected as unpatentable over Traderonline/Dean/Meade, II applied to claim 25 above on the basis of same rationale.

5.8. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Meade/Turner and further in view of Matsuoka (US Patent 6,038,537).

With reference to claim 29, Traderonline/Dean/Meade/Turner teaches a method and apparatus wherein consumer provides personal information relating to consumer including personal preferences, payment instructions and privacy instructions, as disclosed and analyzed in claim 26 above. Traderonline/Dean/Meade/Turner does not disclose that the instructions also include instructions to complete transactions in an anonymous manner. However, Matsuoka teaches completing transactions in an anonymous manner (at least see, col.6, lines 38-43, "...The displaying unit 24 displays a list of commodities to be provided while making the name of a commodity provider anonymous....", col.10, line47-col.11, line 14, col.15, lines 26-31,

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col.29, lines 50-53, "...Furthermore, a commodity receiver may be made anonymous to a commodity provider...", and col.31, lines 16-18). In view of Matsuoka, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features completing the transactions in anonymous manner in

Traderonline/Dean/Meade/Turner. Doing so would help to keep the privacy of the consumer intact and protecting him from unwanted mail and offers from merchants, as per the knowledge generally available and also will help to stop human relationships suffering if transactions are not completed, as suggested in Matsuoka (at least see, col.10, lines 47-55).

5.9. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Traderonline/Dean and further in view of Bi et al. (US Patent 6,311,178), hereinafter, referred to as Bi.

With regards to claim 17, Traderonline/Dean teaches a method as disclosed in claim1. Traderonline/Dean does not disclose further the steps of tracking and ranking a satisfaction level of said consumer. However, in the same field of electronic commerce, Bi teaches tracking and ranking a satisfaction level of said consumer (at least see, abstract, "...Advantageously, said requirement ...has a search score indicating satisfaction level of said user....ranking of said matching results....", col.2, lines 12-55). In view of Bi, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features of tracking and ranking a satisfaction level of said consumer in Traderonline/Dean. Doing so would help the consumers to be able to not only see offers which match their requirements but ones which satisfy them more than they needed and store these merchants names in their personal preference database for future use.

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6.0. Claims 30-31, and 38-39, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean in view of Meade, II (US Patent 6,405,214 B1) and further in view of Daly.

The limitations of claims 30-31, and 38-39 are already covered in claims 8, 12, 14-16, and 46-47 above and are therefore analyzed and rejected similarly.

6.1. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Meade/Matsuoka.

The limitations of claim 40 are already covered in claim 48 and is therefore analyzed and rejected similarly.

6.2. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Meade and further in view of Matsuoka.

The limitations of claim 41 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

6.3. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Daly and further in view of Matsuoka.

The limitations of claim 49 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

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6.4. Claims 56-57, 59-60, 64-65, and 67-68, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean and further in view of Daly et al. (US Patent 5,878,141), hereinafter, referred to as Daly.

The limitations of claims 56-57, 59-60, 64-65, and 67-68 correspond to the limitations recited in claims 8, 11, 14 and 15 and are therefore analyzed and rejected similarly.

6.5. Claims 58 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean and further in view of Matsuoka.

The limitations of claims 58 and 66 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

6.6. Claims 73-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 73-75, Traderonline/Dean teaches a method and a system of maintaining a database of a consumer's personal information, receiving a request from a consumer and selecting a preferred provider from the consumer's database for the consumer's request as disclosed and analyzed in claims 1 and 18 above.

Traderonline/Dean does not disclose the step of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith.

In the field of same endeavor, that is organizing personal information in a database, Meade teaches the step of updating automatically the personal information and updates of the

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personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith (see at least col.2, lines 31-44, "...Cookies can also be used for tracking the path of a user through a websitePerhaps the most prevalent use of cookies is database marketing...Information in cookies can be used to compile a database profile of Internet use of a specific individual. The profile can include such information as sites visited.....".

Note: The web sites visited in Meade, II correspond to the providers chosen by the consumer in the claim. Every time when an user visits a web site the information being stored in the cookies about the web sites visited by user satisfies the limitation of this claim).

In view of Meade, II, It would be obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Traderonline/Dean to include the concept of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith. Doing so would enable compiling a database profile of an Internet user and that database profile can be used for promoting and advertising user specific products, as explicitly disclosed in Meade, II (see at least col.2, lines 40-55).

6.7. Claims 76-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Daly and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 76-77, their limitations are covered in claims 73-74 and are therefore analyzed and rejected similarly.

6.8. Claims 78-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over

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Traderonline/ Dean and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to limitations 78-79, they are covered in claims 73-74 and are therefore analyzed and rejected as unpatentable over Dean/Traderonline applied to claims 53 and 61 above and further in view of Meade, II on the basis of same rationale.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i) (Business editors, " Click4 Network launches one million dollar Internet Service Giveaway"; Business Wire; New York; April 26, 1999; pg.1 extracted on Internet from proquest database on 4/30/2004 discloses receiving requests in the form of domain names, wherein the domain names include a common domain element as "click4" and second element which relates to the products/services desired by the user. This "Click4Netwrok" art when used with Dean can render the claimed inventions obvious.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A Millin can be reached on 703-308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Yogesh C Garg
Examiner
Art Unit 3625

YCG
April 30, 2004